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April 10, 2008

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/11/08
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BY FAX

The Honorable Kimba M. Wood
Chief Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2240
New York, New York 10007-1312

Re: Pennington v. Bank of New York a.k.a.
J.P. Morgan Chase, 07 Civ. 8533 (KMW)

Your Honor:

Joseph Gasperetti of this firm represents Plaintiff Edward Pennington. Currently, Plaintiff's amended complaint is due to be filed and served tomorrow, Friday April 11, 2008. Mr. Gasperetti is in the process of drafting the pleading. However, Mr. Gasperetti had just returned from expedited discovery ordered in a preliminary injunction hearing before Judge Gorton in the District of Massachusetts (Bear, Stearns v. Sharon, 1:08-cv-10505) and was again called away to expedited discovery in California ordered by Judge Schiavelli (Bear, Stearns v. O'Kelly, Civ. No. 08-cv-02010-GPS-JWJ) which will take place tomorrow. We therefore request an extension of plaintiff's time to file and serve his amended complaint to April 16, 2008. This is the third request for an extension of time.

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

April 11, 2008

Respectfully submitted,

Kate Harrison
Katherine B. Harrison